Allan M. Klang Senior IP Counsel One Bacton Drive, MC 089

Franklin Lakes, New Jersey 07417-1880

Phone: 410-316-4724 Fax: 201.848.9228 E-Mail: allan_kiang@bd.com

RECEIVED CENTRAL FAX CENTER

APR 2 6 2005



Attention:

Assistant Commissioner of Patents

Company:

United States Patent and Trademark Office

Fax number:

(703) 305-3014- **872-9366**

From:

Allan Kiang

Date:

April 26, 2005

Number of Pages (including this cover):

If you do not receive all of the pages, please call: Ami Dimaano, 410-316-4879

APPLICANT(S):

J. Nadeau and G. Walker

REISSUE OF:

Patent No. 5,547,861

SERIAL NO .:

09/082,247

GROUP:

1637

FILING DATE:

May 20, 1998

EXAMINER:

J. Tung

FOR:

Detection of Nucleic Acid Amplification

The following document is attached to this facsimile:

- 1. Certificate of Facsimile Transmission (1 page)
- 2. Response Pursuant to 37 CFR 1.111 (5 pages)
- 3. Supplemental Response (4 pages)
- 4. PTO Form 1449 (2 pages)
- 5. Petition for Extension of Time (1 page)
- 6. Substitute Declaration under 37 CFR 1.175(b) (1 page)

Confidential

The pages accompanying this transmission contain or may contain information from BD (Becton, Dickinson and Company) which is confidential, proprietary and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or taking of any action in reliance on the contents of this transmission is strictly prohibited, and the pages received by you are to be destroyed immediately. In this regard, please notify the sender of this transmission that you have received the transmission in error and have destroyed the pages

If you do not receive all of the pages, please call as soon as possible, via direct fax line indicated above or by telephone to the

Becton, Dickinson and Company

PAGE 1/14 * RCVD AT 4/26/2005 10:21:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID: * DURATION (mm-ss):03-18

Received: 13 pages.

Prid not receive: page 14/14. CH

RECEIVED CENTRAL FAX CENTER

APR 2 6 2005

PATENT P-2821R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

J. Nadeau and G. Walker

REISSUE OF:

Patent No. 5,547,861

SERIAL NO.:

09/082,247

GROUP:

1637

FILING DATE:

May 20, 1998

EXAMINER:

J. Tung

FOR:

Detection of Nucleic Acid Amplification

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the attached (a) Certificate of Facsimile Transmission, (b) Response Pursuant to 37 CFR 1.111, (c) Supplemental Response, (d) PTO Form 1449, (e) Petition for Extension of Time and, (f) Substitute Declaration Under 37 CFR 1.175(b) were faxed on April 26, 2005 to the United States Patent and Trademark Office at the following facsimile number: 703-305-3014-872-9306

pu

Respectfully submitted.

Allan M. Kiang

Attorney for the Applicant Registration No. 42275

Becton Dickinson and Company 1 Becton Drive Franklin Lakes, New Jersey 07416 (410) 316-4724

RECEIVED CENTRAL FAX CENTER

APR 2 6 2005

PATENT P-2821R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

J. Nadeau and G. Walker

REISSUE OF:

Patent No. 5,547,861

SERIAL NO.:

09/082,247

GROUP:

1637

FILING DATE:

May 20, 1998

EXAMINER:

J. Tung

FOR:

Detection of Nucleic Acid Amplification

The AssistantCommissioner of Patents Post Office Box 1450 Alexandria, Virginia 22313

RESPONSE PURSUANT TO 37 C.F.R. §1.111

Sir:

This is a Response to the Office Action mailed on October 26, 2004 (Paper No. 10222004).

Amendments to the Claims begin on page 2 of this Response.

Status of the Claims begin on page 4 of this Response.

Remarks begin on page 5 of this Response.